

TOWN BOARD

The Town Board, Town of Highlands, held a Workshop on Monday, June 28, 2010 at Town Hall, 254 Main St, Highland Falls, NY at 7:30pm.

PRESENT:	Edward Magryta	----	Supervisor
	Holly Gokey	----	Council Member
	Laurie R. Tautel	----	Council Member
	Mervin R. Livsey, Jr.	----	Council Member
	Justin Rider	----	Counsel
	June Patterson	----	Town Clerk

ABSENT:	William Edsall	----	Council Member
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Supervisor Magryta opened the workshop at 7:30pm.

PUBLIC COMMENT

Stella Bailey, Town Historian, is concerned about the condition of the cemetery records. She would like to have the cemetery maps duplicated so she can have a copy.

Supervisor Magryta said he would speak to the Town's engineering firm and ask if they can duplicate the maps.

Council Member Livsey said he would look into it.

STATE COMPTROLLER AUDIT PROGRESS

Supervisor Magryta reported that the auditor has completed the retirement portion of the audit and submitted it to the State. He is now focusing on the cash accounts.

BURNING REGULATIONS

Supervisor Magryta believes that the Board is at the point where a final blueprint can be put together.

Mr. Rider informed the Supervisor that changes to an ordinance necessitate a Local Law which can be introduced at the next meeting.

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Supervisor Magryta suggested the following for the Burning Regulations: 1-Permit fee of approximately \$35; 2- Minimum of 1 acre; 3- Fine of approximately \$100 for no permit; 4-Fire department contacted when burning; 5- Follow all DEC regulations; 6- Community awareness on all changes.

Council Member Livsey would like the Building Department to verify acreage before a permit is issued.

Mr. Hager said acreage can be verified by the tax map or through the assessor.

Supervisor Magryta asked Mr. Hager what the current permit was.

Mr. Hager said the current State permit is a 3-part carbonless form, which are now obsolete. Currently, the residents are issued the State permit and a permit that is printed out by the Building Department.

Council Member Livsey asked if fines are issued by the Building Department or the Police.

Mr. Rider explained that the existing code allows for the Code Enforcement Officer or the Police Officer to issue tickets.

Council Member Tautel asked approximately how many burning permits are issued per year.

Mr. Hager said that there were 27 burning permits issued in 2009.

Council Member Gokey would like to see the fine higher than Supervisor Magryta suggested.

Council Member Livsey would like a mandatory fine of \$150.

Supervisor Magryta asked Mr. Hager to draft a burning permit for the Board. The Supervisor also asked Mr. Hager what the duration of a burning permit was.

Mr. Hager said the duration of a burning permit is two (2) weeks.

BUILDING DEPARTMENT FEE SCHEDULE

Supervisor Magryta received changes to the fee schedule from Mr. Hager. Mr. Hager informed the Supervisor that he is concerned with permits that are issued and not closed.

Mr. Hager said the fees are not being changed. He would like the escrow amount, provided to the Planning Board, to be lowered from 80% to maybe 40-50%. With the amount at 80%, applicants are constantly sent letters to replenish the account and this is a lot of paperwork.

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Mr. Rider said that 25-30% would be fine.

Supervisor Magryta asked about the bigger applicants.

Mr. Rider said that the Planning Board has the discretion to adjust the amount depending on the complexity of the matter.

Mr. Hager said that, for building permits, the cost of the permit is based on the cost of construction. The State is requiring that permits be issued for repairs/maintenance as well as building. Mr. Hager would like to lower the cost for the repair/maintenance permits. He suggested \$5/per thousand with a minimum of \$50.

Council Member Tautel suggested a minimum of \$25.

Mr. Hager would like to keep it at \$50. He will prepare a list of what is considered maintenance or repair

Mr. Hager would like the board to look at whether the Building Department should issue permits for site work.

Supervisor Magryta suggested requiring a permit when equipment is being used on the site.

Council Member Gokey asked about private landscaping.

Mr. Rider explained that there is an exception in the code for gardening on a private lot.

Mr. Hager said the code needs to be reviewed and modified, if necessary.

Supervisor Magryta would like to put the easier stuff on for the workshop and have the Building Department review the rest.

Mr. Hager would like the Board to reserve any decision on fees for sites until all other pertinent sections of the code are reviewed.

Supervisor Magryta asked Mr. Hager to put together a "quick hit list" of items that the Board can address in the next few months.

BUDGET TRANSFER REQUEST – WORKERS COMPENSATION BUDGET ERRORS

Supervisor Magryta received a request from Comptroller Blauvelt to make the following transfers:

\$8,100.00 from **A9040.0800** (Comp Ins) to **SA9040.0800** (Comp Ins)
\$8,000.00 from **B9040.0800** (Comp Ins) to **DB9040.0800** (Comp Ins)
\$ 171.00 from **SS49040.0800** (Comp Ins) to **DA9040.0800** (Comp Ins)
\$6,739.00 from **DB9730.0700** (Debt Services-Ban Interest) to **DB9040.0800** (Comp Ins)

The total of these transfers is **\$23,010.00**.

Council Member Gokey made a motion seconded by Council Member Livsey to approve the Budget Transfers requested by Comptroller Blauvelt.

MOTION CARRIED: 4-ayes (Magryta, Gokey, Tautel, Livsey)
0-nays
1-absent (Edsall)

TOWN POLICE DEPT. – EXPLORER PROGRAM

Council Member Tautel said the issue of the Explorer Program was tabled because of insurance questions. The insurance information was received at the last meeting and the issue was scheduled for this workshop.

Supervisor Magryta said the advertising needs to be addressed and the program suspended until it is approved by the Board.

Council Member Livsey supports the program and believes that it would be good for the community.

Supervisor Magryta is in favor of the program as long as the Town has no liability and there is no danger to the participants. The Supervisor hopes all the questions can be answered by the next meeting.

LONG POND VENDOR REQUEST

Supervisor Magryta received a request for the operation of a hot dog cart at Long Pond on Tuesdays and Thursdays. The owner of the cart has all the proper permits.

Council Member Tautel said the West Point lease will need to be checked to see if this is permissible.

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Council Member Livsey will contact West Point tomorrow.

Council Member Livsey made a motion seconded by Council Member Tautel to allow the operation of the hot dog cart at Long Pond pending approval from West Point.

MOTION CARRIED: 4-eyes (Magryta, Gokey, Tautel, Livsey)
0-nays
1-absent (Edsall)

FORT MONTGOMERY BATTLE SITE – PARKING REQUEST

Supervisor Magryta received a request from the Battle Site to use the parking lot across from the Post Office on October 2 for their commemorative event.

Council Member Gokey made a motion seconded by Council Member Tautel to authorize the Battle Site to use the parking lot across from the Post Office on October 2, 2010.

MOTION CARRIED: 4-eyes (Magryta, Gokey, Tautel, Livsey)
0-nays
1-absent (Edsall)

WIRELESS FACILITY PROPOSAL (HOMELAND TOWERS LLC) – CONSULTING PARTY STATUS RESOLUTION

Supervisor Magryta said that Homeland Towers LLC has brought a proposal before the Planning Board to put a cell tower on the Holiday Inn Express site. The State found that there was no effect on historic sites. The Supervisor explained that the Town can enter into Consulting Party Status to determine whether there is any effect or not.

Council Member Tautel contacted Jennifer Davis about getting Consulting Status and an extension. The Town was granted Consulting Status.

Supervisor Magryta said this is a troubling situation.

Council Member Gokey made a motion seconded by Council Member Tautel to send the packet, prepared by Historian Stella Bailey, disagreeing with the “no effect determination” to: 1-The Secretary of Federal Communications Commission; 2-G.C. Environmental, Inc; 3-Bill Krattinger, NYS Historic Preservation Office. (A copy of the letter is attached to the minutes)

MOTION CARRIED: 4-eyes (Magryta, Gokey, Tautel, Livsey)
0-nays
1-absent (Edsall)

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Supervisor Magryta reminded the public that the Town Board has constraints with this, but will stay on top of it and represent the public.

PUBLIC COMMENT

Stella Bailey stated that there is a cell tower law on the books.

Supervisor Magryta said the Planning Board and applicant are aware of this law.

Council Member Livsey thanked the 4th of July Committee for all they do.

Council Member Livsey made a motion seconded by Council Member Tautel to go into Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. The Board went into executive session at 10:00pm.

MOTION CARRIED: 4-ayes (Magryta, Gokey, Tautel, Livsey)
0-nays
1-absent (Edsall)

Council Member Tautel made a motion seconded by Council Member Gokey to close the executive session. Executive session closed at 10:55pm.

MOTION CARRIED: 4-ayes (Magryta, Gokey, Tautel, Livsey)
0-nays
1-absent (Edsall)

Council Member Gokey made a motion seconded by Council Member Tautel to adjourn the workshop. Workshop adjourned at 10:56pm.

MOTION CARRIED: 4-ayes (Magryta, Gokey, Tautel, Livsey)
0-nays
1-absent (Edsall)

Attest,